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TO RUEHC/SECSTATE WASHDC IMMEDIATE 1838
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RHEHNSC/NSC WASHDC 1397

UNCLAS SECTION 01 OF 02 BELGRADE 001617

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STATE FOR EUR/SCE, CA/P, CA/VO/P

E.O.12958: N/A

TAGS: [PGOV](#) [PREL](#) [CVIS](#) [SR](#)

SUBJECT: SUSPECT EMBASSY MEMO BECOMES PART OF
POLITICAL BATTLE AND LEGAL PROCEEDINGS - REQUEST
OPINION FROM L

¶1. This is an Urgent Action Request - See Paragraphs
12 and 13

Summary

¶2. (SBU) Serbian Liberal Party leader Cedomir Jovanovic has dragged the United States into the middle of a political and legal battle with Serbian tycoon Miroslav Miskovic. Jovanovic has accused Miskovic of having offered to influence Serbia's Kosovo policy in exchange for a U.S. visa, and is basing his claim on an alleged internal Embassy document that post believes is fraudulent. This claim is now part of larger criminal suit Jovanovic has brought against Miskovic and other Serbian government officials and the alleged embassy document has been submitted as evidence. Post has been approached by the Special Prosecutor and asked to respond formally on the credibility of the documents as part of the investigation. End summary.

Background

¶3. (U) Liberal Party (LDP) leader Ceda Jovanovic is running for President. As part of his anti-corruption platform, he has taken on Serbia's most powerful tycoon, Miroslav Miskovic, conducting a public campaign against him over the past few months. On November 18, Miskovic countered by sending an open letter to a local news agency accusing Jovanovic of involvement in his abduction in 2001. In his letter, Miskovic labeled Jovanovic a mafioso and a member of the notorious Zemun gang, claiming that the politician had received a share of Miskovic's ransom and had helped arrange his kidnappers' release from jail.

¶4. (U) The accusations continued on national television when Jovanovic accused Miskovic of, among other wrongdoings, attempting to trade political influence for a U.S. visa. Jovanovic elaborated this theme November 19 and 20 on radio and in televised remarks in parliament, claiming that an intermediary of Miskovic had approached the U.S. Embassy in Belgrade in May 2007, offering to persuade the Serbian government to give up Kosovo in exchange for removing his name from a rumored "visa black list."

¶5. (SBU) Jovanovic's evidence is an alleged internal embassy document that local journalists had previously brought to our attention. Post conducted an internal

investigation and consulted with embassy officers who were here at the time it was allegedly drafted and concluded that the document - allegedly a decision memo for the Ambassador based on the "approach" by the intermediary - is a fake. After making his charges in parliament, Jovanovic leaked the memo to the press. The embassy responded with a press statement on November 22, stating that no American official had engaged in the meeting described in the memo, and that the memo was not an authentic U.S. Embassy document.

¶6. (U) On November 22, the LDP initiated a private lawsuit and filed criminal charges with the Fourth Municipal Court and the Special Prosecution for Organized Crime against Miskovic for slander and criminal association with the aim of illegally obtaining profits. The "criminal association" also allegedly includes Prime Minister Kostunica, Deputy Prime Minister Djelic and Ministers Mladjan Dinkic, Slobodan Milosavljevic and Dragan Jovic as well as journalists, lawyers and businessmen. The announcement provoked several ministers and the Deputy Prime Minister to announce that they intended to counter sue.

¶7. (SBU) The Embassy's statement enraged the LDP, who berated embassy officials for calling them liars and threatened to end the "friendship" between the party and the United States. Jovanovic continue to espouse confidence in the source of the memo, saying that it came from someone on the "old Embassy staff" (65 percent of the Embassy officers turned over this summer) both privately and in the media, where he speculates that our reaction signals a shift in policy towards favoring tycoons.

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Public Prosecutor Involvement

¶8. (SBU) On November 28 DOJ Corruption Advisor met with the Chief Organized Crime Prosecutor, Miljko Radisavljevic who stated that, as reported in the press, his office had received a request for an investigation against the Prime Minister and several Ministers from Cedimir Jovanovic, and that there were documents attached to the request relating to the U.S. Embassy. The documents are the following:

(1) One-page document, undated, appearing to be a United States Embassy Belgrade Memorandum, addressed to The Ambassador, on the Subject, "Candidates for inclusion under 212(f): Corruption based Presidential Proclamation." [The one-page document constitutes most of the first page and a portion of the second page of an actual 10-page memo.]

(2) Two page document, with no title or date, starting with the heading, "D. Milosevic-era [sic] who accumulated wealth through their association with him." [This two-page document constitutes part of the same 10-page memo.]

(3) Four-page document, dated May 21, 2007, appearing to be a United States Embassy Belgrade, Decision Memorandum to the Ambassador, through DCM, from POL, subject: "Proposal of Miroslav Miskovic, President Delta Holding." [The Embassy has no record of this document, and has determined it is not authentic.]

¶9. (SBU) Documents 1 and 2 are parts of a legitimate Embassy Decision Memorandum to the Ambassador, drafted in June, 2006, regarding whether the Embassy should submit to the Department a number of potential candidates for consideration under Presidential

Proclamation 7750, denying visas to individuals who engage in egregious corruption to the detriment of U.S. national interests. This document was leaked to the media in the fall of 2006. Document 3 is the memo that we have determined, to the best of our knowledge, not to be an authentic Embassy document. It is possible, however, that it was created by either a former or current local embassy employee based on an actual meeting and not shared with any American officer or forwarded to the Front Office.

¶10. (SBU) The Prosecutor stated that the credibility of these documents is important for his office in evaluating the request for criminal investigation. He would like a response in the form of a written response, not an interview or testimony, to two questions:

- (1) Are the documents genuine or fraudulent U.S. Embassy documents?
- (2) Are the contents of the documents genuine or fraudulent?

¶11. (SBU) The Prosecutor stated that he was not requesting testimony to evaluate the request for investigation but that if a formal investigation was started, it would be up to the investigative judge to make such a request for testimony. He said that a formal investigation was a possibility but he could not determine at this time if there would be a formal investigation or a request for actual testimony.

Action Request

¶12. (SBU) Embassy requests L's opinion on responding to the Prosecutor's request. Copies of the documents in question can be forwarded by email. Please contact IO Rian Harris at harrisrh@state.gov.

¶13. (SBU) Embassy kindly requests immediate assistance with this matter as the issue is politically sensitive and the center of public attention. Post would appreciate at least an interim response for the Prosecutor's office this week.

MUNTER